

THE UNIVERSITY OF TEXAS
SOUTHWESTERN MEDICAL CENTER
AT DALLAS

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Select Agent Program
Centers for Disease Control and Prevention
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I am writing in response to the Centers for Disease Control and Prevention's solicitation for comments on 42 CFR Part 73, Interim Final Rule, Possession, Use, and Transfer of Select Agents and Toxins published in the Federal Register, Vol. 240, No. 67 on Friday, December 13, 2002.

The Biological and Chemical Safety Advisory Committee (BCSAC) at the University of Texas Southwestern Medical Center (UTSWMC) at Dallas have discussed the comments and recommendations for 42 CFR Part 73 submitted by the Howard Hughes Medical Institute (HHMI) on January 21, 2003. As a result of the BCSAC meeting held January 23, 2003, the Biological and Chemical Safety Officer, Mr. Esequiel Barrera, and I, as the BCSAC Chairman, have met and submit this letter on behalf of the UTSWMC BCSAC supporting the HHMI comments. I have attached a copy of the HHMI "Comments on 42 CFR Part 73" for your reference. Specifically, the basis for our support and endorsement is that the recommendations will ensure the appropriate availability of biological agents and toxins for research, education, and other legitimate purposes and will make the safeguard and security requirements for persons possessing, using, or transferring a listed agent or toxin risk-based. These provisions are requirements of the "Public Health Security and Bioterrorism Preparedness and Response Act of 2002." Generally, the adoption of the recommendations of the HHMI will lessen the administrative burden of the Final Rule, allow for an effective performance-based security plan, and ensure the relevance of the Final Rule to the biomedical research environment.

We appreciate the opportunity to comment on the Interim Final Rule.

Sincerely,



Julian A. Peterson, PhD.
Professor of Biochemistry
Chair, BCSAC

Enclosure: Comments on 42 CFR Part 73, Interim Final Rule
Possession, Use and Transfer of Select Agents and Toxins